

**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION  
 PLAN AMENDMENT/REZONING REPORT**

▶ **FILE #:** 3-B-17-RZ  
 3-B-17-SP

**AGENDA ITEM #:** 36  
**AGENDA DATE:** 3/9/2017

▶ **APPLICANT:** MARY C. KAMPAS  
 OWNER(S): Mary C. Kampas

TAX ID NUMBER: 133 L B 033 [View map on KGIS](#)

JURISDICTION: Council District 2

STREET ADDRESS: 7702 S Northshore Dr

▶ **LOCATION:** Southeast side S. Northshore Dr., southwest of Wrights Ferry Rd.

▶ **TRACT INFORMATION:** 7400 square feet.

SECTOR PLAN: Southwest County

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ACCESSIBILITY: Access is via S. Northshore Dr., a major arterial street with 34' of pavement width within 60' of right-of-way.

UTILITIES: Water Source: Knoxville Utilities Board

Sewer Source: Knoxville Utilities Board

WATERSHED: Fourth Creek and Tennessee River

▶ **PRESENT PLAN DESIGNATION/ZONING:** NC (Neighborhood Commercial) / C-1 (Neighborhood Commercial)

▶ **PROPOSED PLAN DESIGNATION/ZONING:** GC (General Commercial) / C-3 (General Commercial)

▶ **EXISTING LAND USE:** KARM dropoff center

▶ **PROPOSED USE:** KARM dropoff center

EXTENSION OF PLAN DESIGNATION/ZONING: No

HISTORY OF ZONING REQUESTS: None noted

SURROUNDING LAND USE, PLAN DESIGNATION, ZONING North: S. Northshore Dr., convenience store with fuel / NC / C-3 (General Commercial)

South: Parking and self-storage business / NC / C-1 (Neighborhood Commercial) and CA (General Business)

East: Convenience store with fuel / NC / C-1 (Neighborhood Commercial)

West: Restaurant / NC / C-1 (Neighborhood Commercial)

NEIGHBORHOOD CONTEXT: This site is located within a large commercial node in the Rocky Hill area around the intersection of Morrell Rd. and S. Northshore Dr. The commercial zoning in the area includes C-1, C-3, C-6, SC-1 and CA zoning.

**STAFF RECOMMENDATION:**

- ▶ **ADOPT RESOLUTION #3-B-17-SP, amending the Southwest County Sector Plan map to GC (General Commercial) sector plan designation, and recommend the Knoxville City Council also approve the sector plan amendment, to make it operative.**

The property is located within a large commercial node that is all proposed for neighborhood commercial uses. However, the majority of the commercial zoning and development in the area is more intense than typical neighborhood commercial uses. Because of the nature of this surrounding development and zoning, it is appropriate to redesignate this site for GC uses.

- ▶ **RECOMMEND that City Council APPROVE C-3 (General Commercial) zoning.**

C-3 zoning is consistent with the recommended sector plan amendment to NC. The One Year Plan currently proposes GC uses for the site, consistent with the requested C-3 zoning. C-3 uses will be compatible with the scale and intensity of the surrounding development and zoning pattern.

**COMMENTS:**

**BACKGROUND:** There is currently a small building located on the site serves as a dropoff facility for KARM (Knoxville Area Rescue Ministries). After a complaint was received by the Knoxville Inspections and Permitting Department, it was determined that the current use is not permitted under the current C-1 zoning. The Knoxville Building Official determined that C-3 zoning would be needed in order to bring the use into conformance with zoning. There are currently some temporary collection receptacles located to the rear of the building. It is staff's understanding that these receptacles are not permitted. The applicant will need to work with the Inspections and Permitting Department to address these possible zoning violations, but if C-3 zoning is approved, the general use of the site will be in compliance with zoning.

SECTOR PLAN REQUIREMENTS FROM GENERAL PLAN (May meet any one of these):

CHANGES OF CONDITIONS WARRANTING AMENDMENT OF THE LAND USE PLAN:

INTRODUCTION OF SIGNIFICANT NEW ROADS OR UTILITIES THAT WERE NOT ANTICIPATED IN THE PLAN AND MAKE DEVELOPMENT MORE FEASIBLE:

No known improvements have been along S. Northshore Dr, in this area., but it has about 34' of pavement width and is classified as a major arterial street. The street is sufficient to handle the additional traffic that would be generated by general commercial development of the site. Utilities are available to serve the site. The current use is not proposed to change as a result of this rezoning, but it could change in the future.

AN OBVIOUS OR SIGNIFICANT ERROR OR OMISSION IN THE PLAN:

The current sector plan appropriately proposes neighborhood commercial uses for the site, consistent with the current C-1 zoning. However, most of the surrounding commercial development and zoning is more intense than what would be permitted under the neighborhood commercial plan designation. It is unlikely that property owners in the area would seek to have their properties rezoned to the less intense C-1 zone. So, staff is recognizing the predominant development and zoning pattern in the area, and is therefore supporting this proposed plan amendment.

CHANGES IN GOVERNMENT POLICY, SUCH AS A DECISION TO CONCENTRATE DEVELOPMENT IN CERTAIN AREAS:

The vast majority of properties within this Rocky Hill commercial node have more intense zoning than neighborhood commercial would permit. Clearly, past policies and decisions do not reflect the current proposal of the sector plan.

TRENDS IN DEVELOPMENT, POPULATION OR TRAFFIC THAT WARRANT RECONSIDERATION OF THE ORIGINAL PLAN PROPOSAL:

Approval of GC for this site allows consideration of C-3 zoning. GC uses and C-3 zoning are very prominent in the area. This recommended plan amendment recognizes that trend.

REZONING REQUIREMENTS FROM ZONING ORDINANCES (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY

GENERALLY:

1. The applicant is requesting this rezoning in order to bring the current use of the property into compliance with zoning. The use is not proposed to be changed at this time. C-3 zoning is compatible with the surrounding development and zoning pattern.
2. With the recommended amendment of the sector plan to GC for this site, C-3 zoning will be consistent with the sector plan. The current One Year Plan proposes GC (General Commercial) uses for the site, consistent with C-3 zoning.
3. The majority of the surrounding commercial uses in the immediate area are developed with uses that are generally more intense than what would be permitted under the property's current C-1 zoning.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. The C-3 zone, as described in the zoning ordinance, is for personal and business services and general retail businesses. This zoning category is intended to include areas where commercial development has displaced or is displacing residential development, or is moving in on vacant land. Further, the regulations are designed to guide future change so as to discourage formation of future commercial slums, to preserve the carrying capacity of the streets, and to provide for off-street parking and loading. It is not the intent of this district to encourage the extension of existing strip commercial areas, but rather to provide concentrations of general commercial activities.
2. Based on the above general intent, this site is appropriate to be rezoned to C-3.

THE PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. Considering the type of commercial development and zoning in the surrounding area, rezoning this site to C-3 should not adversely affect surrounding properties or any other part of the County.
2. Utilities are in place to serve the site.
3. S. Northshore Dr. is classified as a major arterial street, and has the capacity to support C-3 development of this site.
4. The site is rather small (7400 sq. ft.) to allow for typical, more intense C-3 development, so that should limit any potential negative impact on surrounding properties.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE GENERAL PLAN OF KNOXVILLE AND KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. Staff is recommending approval of an amendment to the Southwest County Sector Plan map to GC, within which C-3 zoning is appropriate. The applicant's requested density of up to 4 du/ac is not consistent with the policies of the Growth Policy Plan.
2. The Knoxville One Year Plan proposes GC (General Commercial) for the site, consistent with the requested C-3 zoning.
3. Approval of this request could lead to future requests for plan amendments and C-3 zoning on other nearby properties that are still zoned C-1.
4. This proposal does not present any apparent conflicts with any other adopted plans.

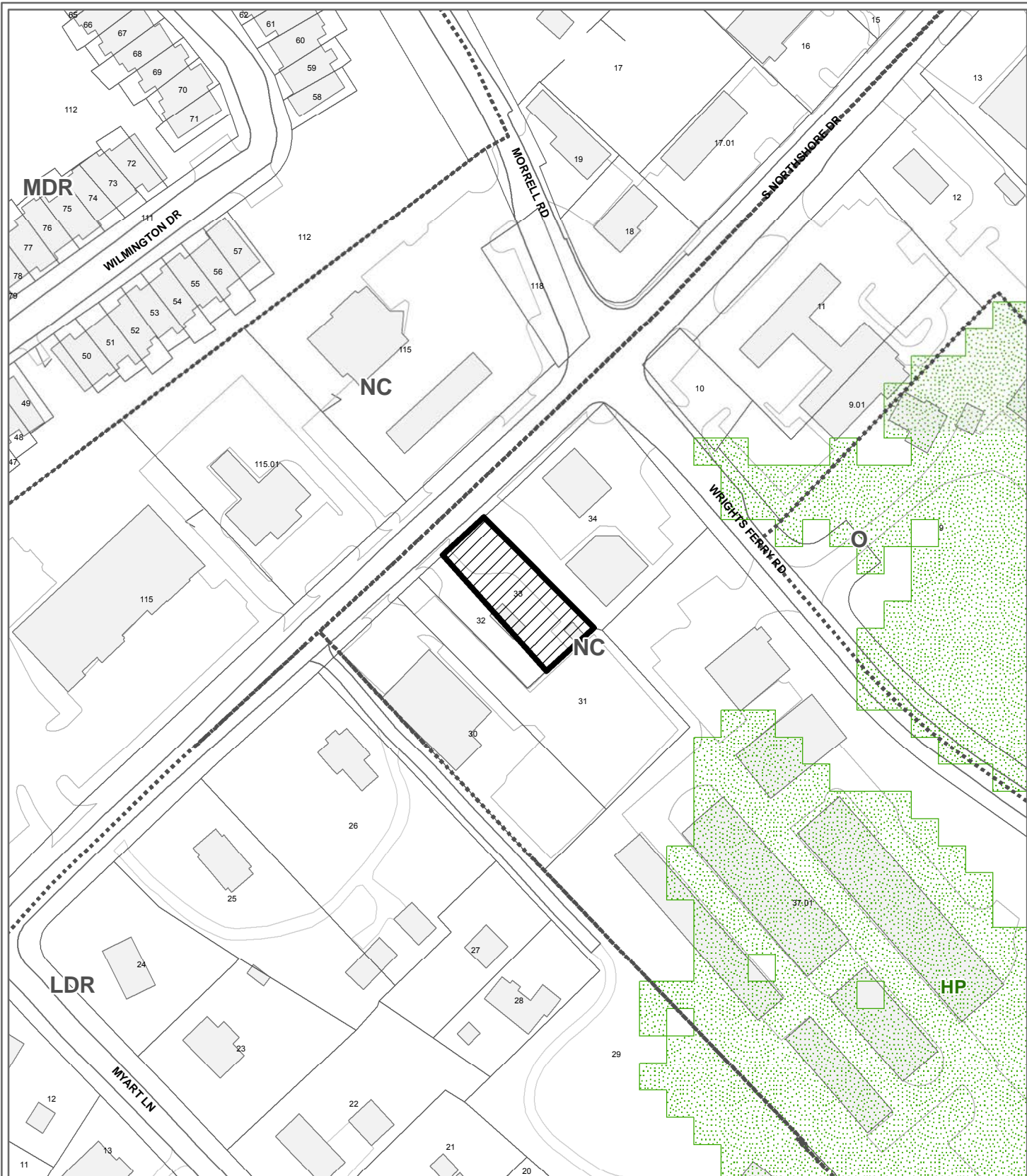
State law regarding amendments of the general plan (which include Sector Plan amendments) was changed with passage of Public Chapter 1150 by the Tennessee Legislature in 2008. The law provides for two methods to amend the plan at TCA 13-3-304:

1. The Planning Commission may initiate an amendment by adopting a resolution and certifying the amendment to the Legislative Body. Once approved by majority vote of the Legislative Body, the amendment is operative.
2. The Legislative Body may also initiate an amendment and transmit the amendment to the Planning Commission. Once the Planning Commission has considered the proposed amendment and approved, not approved, or taken no action, the Legislative Body may approve the amendment by majority vote and the amendment is operative.

ESTIMATED TRAFFIC IMPACT: Not required.

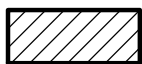
ESTIMATED STUDENT YIELD: Not applicable.

If approved, this item will be forwarded to Knoxville City Council for action on 4/11/2017 and 4/25/2017. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the County.



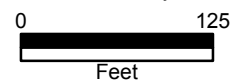
**3-B-17-SP / 3-B-17-RZ  
SOUTHWEST COUNTY SECTOR PLAN AMENDMENT**

From: NC (Neighborhood Commercial)  
To: GC (General Commercial)



Petitioner: Kampas, Mary C.

Map No: 133  
Jurisdiction: County



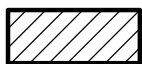
Original Print Date: 2/15/2017 Revised:  
Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902



**3-B-17-RZ  
REZONING**

From: C-1 (Neighborhood Commercial)

To: C-3 (General Commercial)



Original Print Date: 2/15/2017  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Revised:

Petitioner: Kampas, Mary C.

Map No: 133

Jurisdiction: County



*KNOXVILLE-KNOX COUNTY  
METROPOLITAN PLANNING COMMISSION  
A RESOLUTION AMENDING THE SOUTHWEST COUNTY SECTOR PLAN*

*WHEREAS, the Knoxville-Knox County Metropolitan Planning Commission, a regional planning commission established pursuant to state statute, has the duty to make, adopt and amend plans for the physical development of Knoxville and Knox County; and*

*WHEREAS, the Metropolitan Planning Commission pursuant to state statute has prepared and adopted the Knoxville-Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and*

*WHEREAS, the Council of the City of Knoxville and the Commission of Knox County have adopted the Knoxville Knox County General Plan 2033, as the official comprehensive plan for Knoxville and Knox County; and*

*WHEREAS, the Metropolitan Planning Commission has prepared the Knox County Future Land Use Map, a portion of which is contained within the Southwest County Sector Plan, consistent with the requirements of the General Plan; and*

*WHEREAS, the Knoxville-Knox County General Plan 2033, provides criteria for periodic updates and amendments of the land use maps contained within plans initiated by the Planning Commission or in response to applications from property owners; and*

*WHEREAS, Mary Kampas, has submitted an application to amend the Sector Plan from Neighborhood Commercial to General Commercial, for property described in the application; and*

*WHEREAS, the Metropolitan Planning Commission staff recommends approval of a revised amendment to the Southwest County Sector Plan, consistent with General Plan requirements that such amendment represents either a logical extension of a development pattern, or is warranted because of changing conditions in the sector as enumerated in the Plan; and*

*WHEREAS, the Metropolitan Planning Commission, at its regularly scheduled public hearing on March 9, 2017, after consideration of the staff recommendation and testimony from those persons in support and opposed to the plan amendment, approved the amendment for the subject property, as requested, and/or amended.*

*NOW, THEREFORE, BE IT RESOLVED BY THE KNOXVILLE-KNOX COUNTY METROPOLITAN PLANNING COMMISSION:*

*SECTION 1: The Planning Commission hereby adopts the revised amendment to the Southwest County Sector Plan, with its accompanying staff report and map, file #3-B-17-SP.*

*SECTION 2: This Resolution shall take effect upon its approval.*

*SECTION 3: The Planning Commission further recommends that Knoxville City Council likewise consider this revised amendment to the General Plan 2033.*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Chairman*

\_\_\_\_\_  
*Secretary*

REZONING PLAN AMENDMENT

Name of Applicant: Marg Kampas

Date Filed: 1-12-17 Meeting Date: March 9, 2017

Application Accepted by: Emily

Fee Amount: \$1000 File Number: Rezoning 3-B-17-RZ

Fee Amount: File Number: Plan Amendment



PROPERTY INFORMATION

Address: 7702 S. Northshore Dr.

General Location: s/e side of S. Northshore Drive, s/w of Wrights Ferry Rd.

Parcel ID Number(s): 133 LB033

Tract Size:

Existing Land Use: KARM STORE

Planning Sector: SW County

Growth Policy Plan: Urban

Census Tract: 57.01

Traffic Zone:

Jurisdiction: [X] City Council 2 District [ ] County Commission District

Requested Change

REZONING

FROM: C-1

TO: C-3

PLAN AMENDMENT

[ ] One Year Plan [ ] Sector Plan

FROM:

TO:

PROPOSED USE OF PROPERTY

KARM - has been in building for three years

Density Proposed Units/Acre

Previous Rezoning Requests:

PROPERTY OWNER OPTION HOLDER

PLEASE PRINT Name: MARY C. KAMPAS

Company:

Address: 910 CARRINGTON RD.

City: KNOXVILLE State: TN Zip: 37909

Telephone: 865-693-0134

Fax:

E-mail:

APPLICATION CORRESPONDENCE

All correspondence relating to this application should be sent to:

PLEASE PRINT Name: Same as above

Company:

Address:

City: State: Zip:

Telephone:

Fax:

E-mail:

APPLICATION AUTHORIZATION

I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.

Signature: Mary C. Kampas

PLEASE PRINT Name:

Company:

Address:

City: State: Zip:

Telephone:

E-mail:





